



Order Filed on November 14,  
2019 by Clerk U.S. Bankruptcy  
Court District of New Jersey

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY  
Caption in compliance with D.N.J. LBR 9004-1

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In re:  
NEW ENGLAND MOTOR FREIGHT, INC.,  
*et al.*,  
  
Debtors.<sup>1</sup>

Chapter 11  
Case No. 19-12809 (JKS)  
(Jointly Administered)

**ORDER GRANTING THE DEBTORS' MOTION TO (A) EXTEND THE  
EXCLUSIVE PERIODS WITHIN WHICH TO FILE A CHAPTER 11  
PLAN AND SOLICIT ACCEPTANCE THEREOF, AND (B) AUTHORIZE  
THE DEBTORS TO FILE A COMBINED CHAPTER 11 PLAN OF  
LIQUIDATION AND DISCLOSURE STATEMENT**

The relief set forth on the following pages, numbered two (2) through and including four  
(4), is hereby **ORDERED**.

**DATED: November 14,  
2019**

  
Honorable John K. Sherwood  
United States Bankruptcy Court

<sup>1</sup> The Debtors in these chapter 11 cases and the last four digits of each Debtor's taxpayer identification number are as follows: New England Motor Freight, Inc. (7697); Eastern Freight Ways, Inc. (3461); NEMF World Transport, Inc. (2777); Apex Logistics, Inc. (5347); Jans Leasing Corp. (9009); Carrier Industries, Inc. (9223); Myar, LLC (4357); MyJon, LLC (7305); Hollywood Avenue Solar, LLC (2206); United Express Solar, LLC (1126); and NEMF Logistics, LLC (4666).

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Debtors: New England Motor Freight, Inc., *et al.*

Case No.: 19-12809 (JKS)

Caption: Order Granting the Debtors' Motion to (a) Extend the Exclusive Periods Within Which to File a Chapter 11 Plan and Solicit Acceptance Thereof and (b) Authorize the Debtors to File a Combined Chapter 11 Plan of Liquidation and Disclosure Statement

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Upon the Motion<sup>2</sup> of the Debtors in the above-captioned Chapter 11 Cases seeking the entry of an order (a) extending the exclusive periods during which only the Debtors may file a chapter 11 plan and solicit acceptances thereof pursuant to section 1121(d) of title 11 of the United States Code, 11 U.S.C. §§ 101 and Rule 9006(b) of the Federal Rules of Bankruptcy Procedure, and (b) for authorization to file a combined plan of liquidation and disclosure statement [ECF No. 788]; and upon the filing of the *Objection of T.D. Bank, N.A. and East West Bank to Extension of Exclusive Periods for Filing a Plan and Soliciting Acceptances Thereof*, dated October 1, 2019 [ECF No. 909] (the "Lenders' Objection"); and upon the filing of the *Debtors' and the Official Committee of Unsecured Creditors' Joint Combined Plan of Liquidation and Disclosure Statement*, dated October 21, 2019 [ECF No. 932], as amended on November 8, 2019 [ECF Nos. 983 and 990]; and upon the filing of the *Plan Proponents' Joint Motion for Entry of an Order (I) Approving on an Interim Basis the Adequacy of Disclosures in the Joint Combined Plan and Disclosure Statement, (II) Scheduling the Confirmation Hearing and Deadline for Filing Objections, (III) Establishing Procedures for Solicitation and Tabulation of Votes to Accept or Reject the Joint Combined Plan and Disclosure Statement, (IV) Approving the Form of Ballot and Solicitation Package, (V) Approving Notice Provisions, and (VI) Confirming the Plan*, dated October 21, 2019 [ECF No. 934], as amended on November 11, 2019 [ECF No. 987]; and it appearing that the Lenders' Objection having been resolved by the aforesaid filings; and the Court having determined that the relief sought in the Motion is in the

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<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Motion.

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Debtors: New England Motor Freight, Inc., *et al.*

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best interest of the Debtors, their estates and creditors, and other parties-in-interest; and the Court having jurisdiction to consider the Motion and the relief requested therein; venue being proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409; consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and it appearing that proper and adequate notice of the Motion has been given and that no other or further notice is necessary; and upon the record herein; and after due deliberation thereon; and good and sufficient cause appearing therefor;

**IT IS HEREBY ORDERED THAT:**

1. The Motion is **GRANTED** as set forth herein.
2. The Exclusive Filing Period is extended through and including December 9, 2019.
3. The Exclusive Solicitation Period is extended through and including February 6, 2020.
4. The Official Committee of Unsecured Creditors ("Committee") shall continue to have the co-exclusive right with the Debtors to file a plan of liquidation, solicit acceptances thereto and seek confirmation thereof; provided, however, during the Exclusive Periods such plan may only be filed by the Committee jointly with the Debtors.
5. The Debtors and Committee are authorized to file a combined plan of liquidation and disclosure statement.
6. Nothing contained herein shall be deemed to impair or otherwise restrict any party-in-interest's right to file a motion under section 1121(d) of the Bankruptcy Code to limit the Debtors' Exclusive Periods.

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7. Relief requested herein is without prejudice to the Debtors' rights to seek additional extensions of the Exclusive Periods.

8. Notwithstanding applicability of any Bankruptcy Rule, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

9. The Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation of this Order.